

*Sector R#1*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: Onkar S. Sangha; Ed Kwan, Vijay Maheshwari; Akihiro Kiuchi  
 Assignee: Ishoni Networks, Inc.  
 Title: BUFFER MANAGEMENT FOR COMMUNICATION SYSTEMS  
 Serial No.: 09/770,937 Filed: January 25, 2001  
 Examiner: Unknown Group Art Unit: 1302  
 Docket No.: M-9564 US

Newport Beach, California  
 July 11, 2001

BOX MISSING PARTS  
 COMMISSIONER FOR PATENTS  
 Washington, D.C. 20231

PETITION PURSUANT TO 37 CFR 1.10

RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
 NONPROVISIONAL APPLICATION - FILING DATE GRANTED

Dear Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application—Filing Date Granted" mailed by the United States Patent and Trademark Office on March 27, 2001, this petition is submitted pursuant to 37 CFR 1.10(e) attesting to the timely filing of all correspondence with the United States Patent and Trademark Office via Express Mail.

Pursuant to 37 CFR 1.10(e)(3), a copy of the following documents are enclosed in support of this petition and to complete the filing of the above-identified patent application:

1. Copy of 3-page declaration signed by the inventors in compliance with 37 CFR 1.63. (Exhibit 1)
2. Copy of the return receipt postcard and copy of the Transmittal Cover Sheet, indicating that the 3-page declaration was filed by express mail (Express Mail No. EL699365663US), on January 25, 2001, signed by Michael Shenker, Attorney for Applicant, Reg. No. 34,250. (Exhibit 2)

LAW OFFICES OF  
 SKJERVEN MORRILL  
 MacPHERSON LLP  
 25 METRO DRIVE  
 SUITE 700  
 SAN JOSE, CA 95110  
 (408) 453-9200  
 FAX (408) 453-7979

3. Copy of Express Mail Label No. EL699365663US.  
(Exhibit 3)

4. Copy of Notice to File Missing Parts (Exhibit 4)

Pursuant to 37 CFR 1.10(e)(4), I, F. Jason Far-hadian declare that I am an attorney duly registered to practice before the United States Patent and Trademark Office, and that to the best of my knowledge and understanding, the original correspondence including the 3-page Declaration was deposited in the "Express Mail Post Office to Addressee" service on January 25, 2001 prior to the last scheduled pickup. The copies of all correspondence submitted herein, including copies of the 3-page Declaration, return receipt postcard, Transmittal Cover Sheet, "Express Mail" mailing label, and any official notation entered by the USPS are true copies of originally mailed correspondence.

It should be noted that a copy of the Declaration was also filed on June 7, 2001 attached to a Request for Corrected Filing Receipt. A true copy of the Request for Corrected Filing Receipt and returned receipt postcard for the same are also attached to this petition as Exhibit 5.

Furthermore, on July 11, 2001, the undersigned telephonically contacted the Customer Service Center at the Initial Patent Examination Division (telephone number 703-308-1202) and spoke to Ms. Robinson who indicated that as of July 2, 2001 a \$130 late fee for the Notice to File Missing Parts was posted on the firm's deposit account. Because the subject error was not an error on the part of Applicant, Applicant believes no fee is required.

The Commissioner is hereby requested and authorized to charge any additional fees, which may be required (or credit any overpayment), to Deposit Account No. 19-2386, in order to complete the filing and avoid the abandonment of the above-identified patent application.

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It is hereby respectfully submitted that this petition and the enclosed documents complete the filing of the above-identified patent application and justify the filing date of January 25, 2001.

Please telephone the undersigned at (949) 718-5200 (Ext. 5226), if there are any questions. This form is being submitted in duplicate.

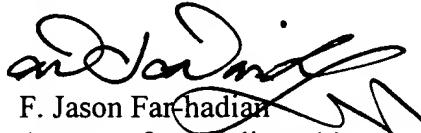
I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on July \_\_\_\_\_, 2001.

  
\_\_\_\_\_  
Attorney for Applicant(s)

7.12.01  
Date of Signature

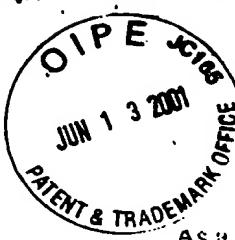
Express Mail Label No. EL849436098US

Respectfully submitted,

  
F. Jason Farhadian  
Attorney for Applicant(s)  
Reg. No. 42,523

LAW OFFICES OF  
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Attorney Docket No.: M-9564 US

**DECLARATION FOR PATENT APPLICATION  
AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below adjacent to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter (process, machine, manufacture, or composition of matter, or an improvement thereof) which is claimed and for which a patent is sought by way of the application entitled

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**BUFFER MANAGEMENT FOR COMMUNICATION SYSTEMS**

SEP 14 2001

which (check)  is attached hereto.  
 and is amended by the Preliminary Amendment attached hereto.  
 was filed on as Application Serial No.  
 and was amended on (if applicable).

Technology Center 2600

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No
N/A			<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
N/A	



Attorney Docket No. M-9564 U.S.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
N/A		

I hereby appoint the following practitioners to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Customer Number 24251



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Please address all correspondence and telephone calls to:

Technology Center 2600

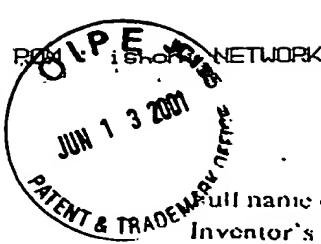
Jason Farhadian  
SKJERVEN MORRILL MacPHERSON LLP  
25 Metro Drive, Suite 700  
San Jose, California 95110-1349

Telephone: 949-718-5200  
Facsimile: 949-718-6799

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

Full name of sole (or first joint) inventor: Onkar S. Sangha  
Inventor's Signature: Onkar S. Sangha Date: Jan 25, 2001  
Residence: San Jose, California  
Post Office Address: 3233 Goldridge Court  
San Jose, California 95135 Citizenship: Canada

Full name of sole (or second joint) inventor: Ed Kwan  
Inventor's Signature: Ed Kwan Date: 01/24/01  
Residence: Fremont, California  
Post Office Address: 45740 Chablis Court  
Fremont, California 94539 Citizenship: Canada



FAX NO. : 14083505858

Tue. 25 2001 02:09PM - PG

Attorney Docket No. M-9561 US

Full name of sole (or third joint) inventor: Vijay Maheshwari  
Inventor's Signature: Vijay Maheshwari  
Residence: Fremont, California  
Post Office Address: 43737 Cameron Hills Drive  
Fremont, California 94539

Date: \_\_\_\_\_

Citizenship: U.S.A.

Full name of sole (or fourth joint) inventor: Akihiro Kiuchi  
Inventor's Signature: Akihiro Kiuchi  
Residence: Saratoga, California  
Post Office Address: 19332 Melinda Circle  
Saratoga, California 95070

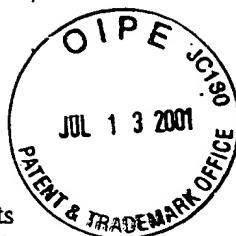
Date: 01/24/01

Citizenship: Japan

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Docket No.: M-9564 US

Box Patent Application  
Commissioner For Patents  
Washington, D. C. 20231

January 25, 2001

Enclosed herewith for filing is a patent application, as follows:

Inventors: Sangha, Onkar S.; Kwon, Ed; Maheshwari, Vijay; Kiucki, Akihiro

Title: Buffer Management For Communication Systems

X Return Receipt Postcard;  
X This Transmittal Letter (1 page, in duplicate);  
34 pages Specification (not including claims) (in addition to Appendices A and B that follow);  
9 pages Claims;  
1 page Abstract;  
13 Pages Appendix A;  
9 Pages Appendix B;  
14 Sheets of Drawings (Figs. 1, 2, 3A, 3B, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14);  
3 pages Declaration For Patent Application and Power of Attorney (executed);  
1 page PTO Form 1449 citing 3 references; and  
 Copy of 3 Cited References.  
 Other:



Applicant(s) assert(s) entitlement to small entity status for the attached patent application

CLAIMS AS FILED

For	Number <u>Filed</u>	Number <u>Extra</u>	Rate	Basic Fee
Total Claims	43	-20 = 23	x \$ 18.00 =	\$ 710.00
Independent Claims	5	-3 = 2	x \$80 =	\$ 160.00
<input type="checkbox"/> Fee of _____ for the first filing of one or more multiple dependent claims per application				\$
<input type="checkbox"/> Fee for Request for Extension of Time				\$

Please make the following charges to Deposit Account 19-2386:

- Total fee for filing the patent application in the amount of \$ 1,284.00
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 19-2386.

EXPRESS MAIL LABEL NO:

EL699365663US

Respectfully submitted,

*Michael Shenker*

Michael Shenker  
Attorney for Applicants  
Reg. No. 34,250

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\* ELL99365663US \*

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Date In Mo. Day Year	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$
Time In Mo. Day	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
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No Delivery <input type="checkbox"/>	PM <input type="checkbox"/>	Insurance Fee
Ibs. Oz.	Int'l Alpha Country Code	Total Postage & Fees \$
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SK JERRYEN MORRILL MACPHERSON  
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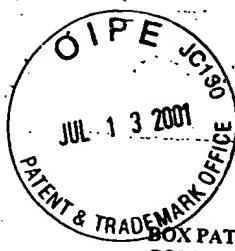
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BOX PATENT APPLICATION  
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Inventors: Sangha, Onkar S.; Kwon, Ed; Maheshwari, Vijay; Kiuchi, Akihiro  
Title: Buffer Management For Communication Systems  
Attorney Docket: M-9564 US

ENCLOSED:

- This Return Receipt Postcard;
- Transmittal Letter (1 page, in duplicate);
- 34 pages Specification (not including Claims);
- 9 pages Claims;
- 1 pages Abstract
- 13 Pages Appendix A;
- 9 Pages Appendix B;
- 14 sheets of Drawings (Figs. 1, 2, 3A, 3B, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14);
- 3 pages Declaration For Patent Application and Power of Attorney (executed);
- 1 page PTO Form 1449 citing 3 references; and
- 3 Cited References.

MS/jls

January 25, 2001 VIA EXPRESS MAIL NO.: EL699365663US

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COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Applicants: Onkar S. Sangha; Ed Kwan; Vijay Maheshwari; Akihiro Kiuchi.  
Assignee: Ishoni Networks, Inc.  
Title: Buffer Management For Communication Systems  
Serial No.: 09/770,937  
Filed: January 25, 2001  
Atty Docket No.: M-9564 US

ENCLOSED:

1. This Return Receipt Postcard;
2. Request for Corrected Filing Receipt (with attached copy of Declaration for Patent Application).

FJF/mls

June 7, 2001

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U.S. PATENT AND TRADEMARK OFFICE  
JUN 25 2001  
SPECIAL MAIL ROOM - WASHINGTON, D.C.

